

SENATE BILL 1438

By Marrero B

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 14, Part 2, relative to persons acting in
good faith rescuing animals from places of danger.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 14, Part 2, is amended by
adding the following language as a new section thereto:

§ 39-14-213.

(a) Any agent of any humane society chartered by this state, any officer of the law, or any other person, being lawfully upon property where an animal is being confined so that it is in imminent danger of serious injury from heat, cold, or any other condition, may lawfully use such reasonable force against the property so confining the animal as is necessary to relieve the animal from such danger, and, if necessary, may remove the animal to a place of safety. No person taking such action shall be liable for such action, either criminally or civilly; provided, that:

(1) Any damage to such property does not exceed that which is
necessary to relieve such animal from such danger; and

(2) Reasonable action is taken to notify the owner of the property of the identity of the person taking such action and the reason such action was necessary. For purposes of this subdivision (a)(2), a written note with such information, conspicuously attached to the property, shall be deemed sufficient reasonable action.

(b) Nothing in this section shall relieve any person from liability for damage to property in excess of that necessary to relieve the animal from the imminent danger.

(c) Nothing in this section shall apply to the confinement of livestock as defined in § 39-14-201.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.